IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 24236 of 2007(I)

PETITIONER:

NEELAFARJAN M., D/O.MOHAMMED KHAN
RAWTHER, RAHATH, MONVILA, KULATHOOR P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.R.MANOJ
SRI.P.RAVEENDRA PILLAI
SMT.INDIRA RAVEENDRAN

RESPONDENTS:
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1. THE TAHSILDAR, TALUK OFFICE,
THIRUVANANTHAPURAM.

2. THE VILLAGE OFFICER, ATTIPARA VILLAGE
OFFICE, THIRUVANANTHAPURAM DISTRICT.

3. THE UNION PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY, NEW DELHI-110069.

R1 & R2 BY GOVT. PLEADER SRI.I.V.PRAMOD.
R3 BY ASST.SOLICITOR GENERAL SRI.P.PARAMESWARAN NAIR.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 24236 OF 2007 - I

Dated this the 9th day of August, 2007

J U D G M E N T

Heard learned counsel for the petitioner as also the learned Government Pleader.

2. The petitioner applied for a community certificate, which was granted as per Ext.P3. In the same, his community is shown as “other Muslims, excluding (i) Bohra (ii) Cutchi Menmon (iii) Navayat (iv) Turukkan (v) Dakhani Muslim community which is recognised as a backward class as per the Government of India resolutions mentioned therein”. However, the Union Public Service Commission, before whom the petitioner has to produce the community certificate, insisted that he should produce a community certificate specifying the sub caste also among the “other Muslims”. The petitioner requested the first respondent for issuing a fresh certificate showing his sub caste, which, according to him, is 'Rawther'. The petitioner's application was forwarded to the Village Officer, who has submitted Ext.P6 report stating that the

petitioner's father belongs to the sub caste 'Rawther'. The petitioner complains that in spite of receipt of Ext.P6 report from the Village Officer, the first respondent is not taking appropriate steps in the matter.

3. After having heard both sides, I dispose of this writ petition with a direction to the first respondent to re-issue Ext.P3 showing the petitioner's sub caste also as 'Rawther' within a period of one week from the date of receipt of a copy of this judgment.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007